

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DARRIUS REID,

Plaintiff,
-against-

NOTICE OF MOTION

07 CV 9788 (PAC)(MHD)

NEW YORK CITY, NEW YORK POLICE DEPT, 5
JOHN DOE POLICE OFFICERS FROM 14TH
PRECINCT,

Defendants.

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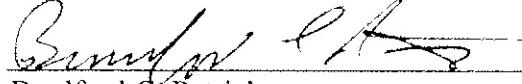
PLEASE TAKE NOTICE that upon the annexed memorandum of law dated June 18, 2008, the declaration of Bradford C. Patrick dated June 18, 2008, the exhibits attached thereto, and upon all the prior pleadings and proceedings had herein, defendants the City of New York and New York City Police Department will move this Court before the Honorable Michael H. Dolinger, United States Magistrate Judge, at the United States Courthouse for the Southern District Court of New York, located at 500 Pearl Street, New York, New York 10007, on a date to be set by the Court, for an Order pursuant to Rule 37(b)(2) and 41(b) of the Federal Rules of Civil Procedure, dismissing plaintiff Darrius Reid's complaint against the defendants, with prejudice, and for such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that opposition papers, if any, shall be served on the undersigned or before July 16, 2008.

PLEASE TAKE FURTHER NOTICE that reply papers, if any, shall be served on or before July 30, 2008.

Dated: New York, New York
June 18, 2008

Michael A. Cardozo
Corporation Counsel of the
City of New York
Attorney for Defendants City of New York and
New York City Police Department
100 Church Street
New York, New York 10007
(212) 788-1575

By: 
Bradford C. Patrick
Assistant Corporation Counsel
Special Federal Litigation Division

To: BY MAIL (Address of Record)
Darrius Reid, #241-07-13328
Plaintiff Pro Se
Northern Infirmary Command
15-00 Hazen St.
East Elmhurst, NY 11370

BY MAIL (Address Obtained from CCRB)
Darrius Reid
Plaintiff Pro Se
427 Baltic St., Apt. 4E
Brooklyn, NY 11217

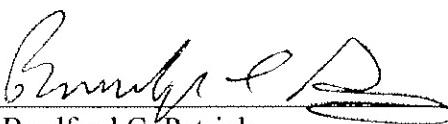
DECLARATION OF SERVICE

I, Bradford C. Patrick declare, pursuant to 28 U.S.C. § 1746, under the penalty of perjury that on **June 18, 2008** I served the annexed **Notice of Motion and Declaration of Bradford C. Patrick in Support of Defendants' Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 37(b)(2) and 41(b)** upon the following individual by depositing a copy of the same, enclosed in a first class postage paid properly addressed wrapper, in a post office/official depository under the exclusive care and custody of the United States Postal Service, within the State of New York, directed to the said plaintiff pro se at the address set forth herein, being the address designated by said plaintiff for that purpose, to wit:

Darrius Reid, #241-07-13328
Plaintiff Pro Se
Northern Infirmary Command
15-00 Hazen St.
East Elmhurst, NY 11370

Darrius Reid
Plaintiff Pro Se
427 Baltic St., Apt. 4E
Brooklyn, NY 11217

Dated: New York, NY
 June 18, 2008



Bradford C. Patrick
Assistant Corporation Counsel
Special Federal Litigation

Index No. 07 Civ. 9788 (PAC)(MHD)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARRIUS REID,

Plaintiff,

-against-

NEW YORK CITY, NEW YORK POLICE
DEPARTMENT, 5 JOHN DOE POLICE
OFFICERS FROM 14TH PRECINCT,

Defendants.

**NOTICE OF MOTION AND DECLARATION OF
BRADFORD C. PATRICK IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS THE
COMPLAINT PURSUANT TO FED. R. CIV. P.
37(b)(2) and 41(b)**

MICHAEL A. CARDOZO

*Corporation Counsel of the City of New York
Attorney for Defendants City of New York and New York
City Police Department
100 Church Street
New York, N.Y. 10007*

*Of Counsel: Bradford C. Patrick
Tel: (212) 788-1575
NYCLIS No. 2008-000753*

Due and timely service is hereby admitted.

New York, N.Y., 200.....

....., Esq.

Attorney for